



Hate Crime Laws: What are they and who do they protect?

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INTRODUCTION

There is tremendous confusion with respect to what constitutes a hate crime (Plumm & Terrance, 2013). In jurisdictions that have adopted hate crime legislation, these offenses are defined as being motivated by racial, sexual, or other prejudice, and are deemed worthy of harsher punishment (U.S. Department of Justice, 1999). Perceptions of behaviors that could be charged as hate crimes may differ according to the type of crime committed, as well as the specific social groups that are involved. Indeed, there are discrepancies across jurisdictions regarding the specific social groups that are protected under hate crime legislation (National Gay and Lesbian Task Force, 2013). Additionally, although the laws are written to protect any target of such an offense equally, the question remains whether such behaviors will be viewed consistently based on the *majority* vs. *minority* status of the individuals involved.

METHOD

Participants (N=88) read 4 scenarios describing behaviors that could be considered hate crimes. The scenarios differed only in the majority/ minority status of the attacker and victim, e.g., *As an interracial couple was leaving the movies, a group of White [Black] men came up and one of them yelled "Stop stealing our women!" When the couple attempted to ignore the comment and walk away, the group of White [Black] men attacked the Black [White] man.*

P's indicated their agreement with 6 statements, yielding a composite **hatred/bias-motivation** score:

- The behavior was motivated by hatred.
- This is an example of a hate crime.
- The behavior would NOT be considered a bias-motivated crime.
- The behavior was meant to send a message of fear and intimidation to the victim's group.
- The behavior would be considered a criminal act.
- The behavior was directed solely at one individual and no one else.

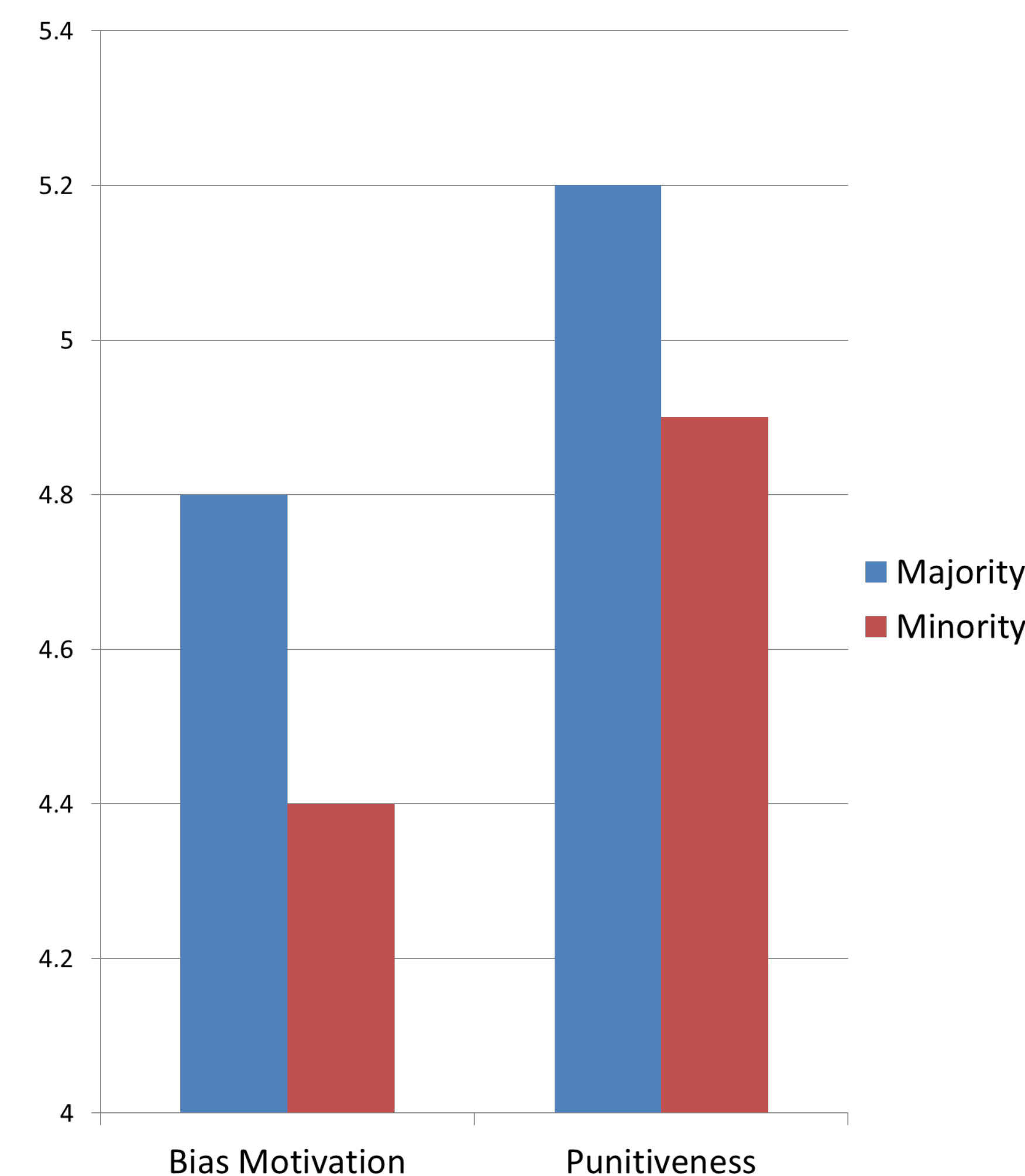
P's also rated the seriousness and offensiveness of the behavior, as well as its worthiness of punishment., yielding a composite **punitiveness** score.

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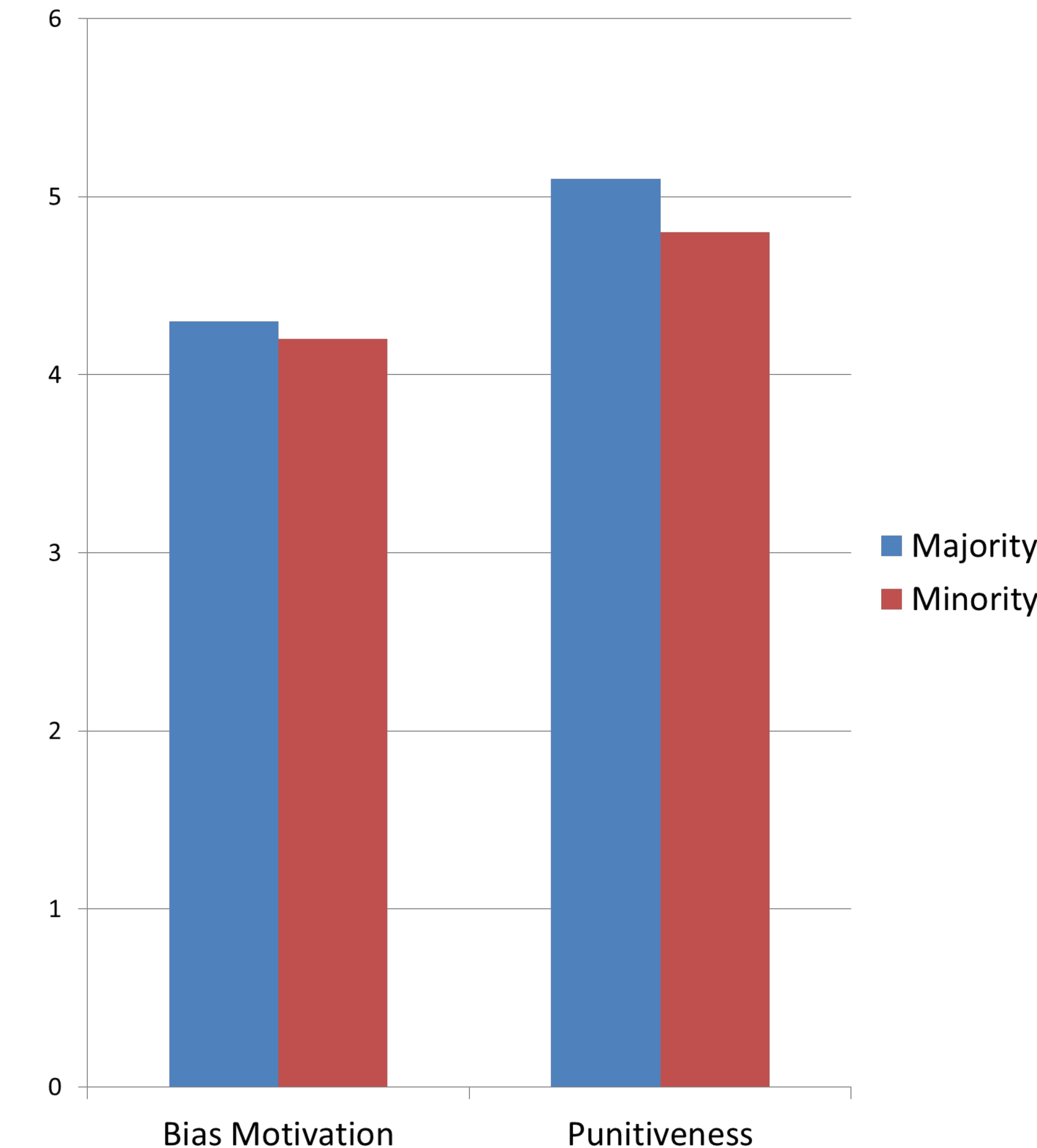
RESULTS

In the bar scenario, participants' composite measure of the bias-motivated nature of the behavior approached significance, $t(85) = 2.361, p = .021$; all other findings were ns. Participants perceived the behavior of the straight man (majority status) attacking a gay man (minority status) as more bias-motivated ($M = 4.82, SD = .631$) than the reverse ($M = 4.49, SD = .669$). The figures below display the composite scores of bias motivation and overall punitiveness of the behaviors in each scenario as a function of perpetrator group membership (majority or minority).

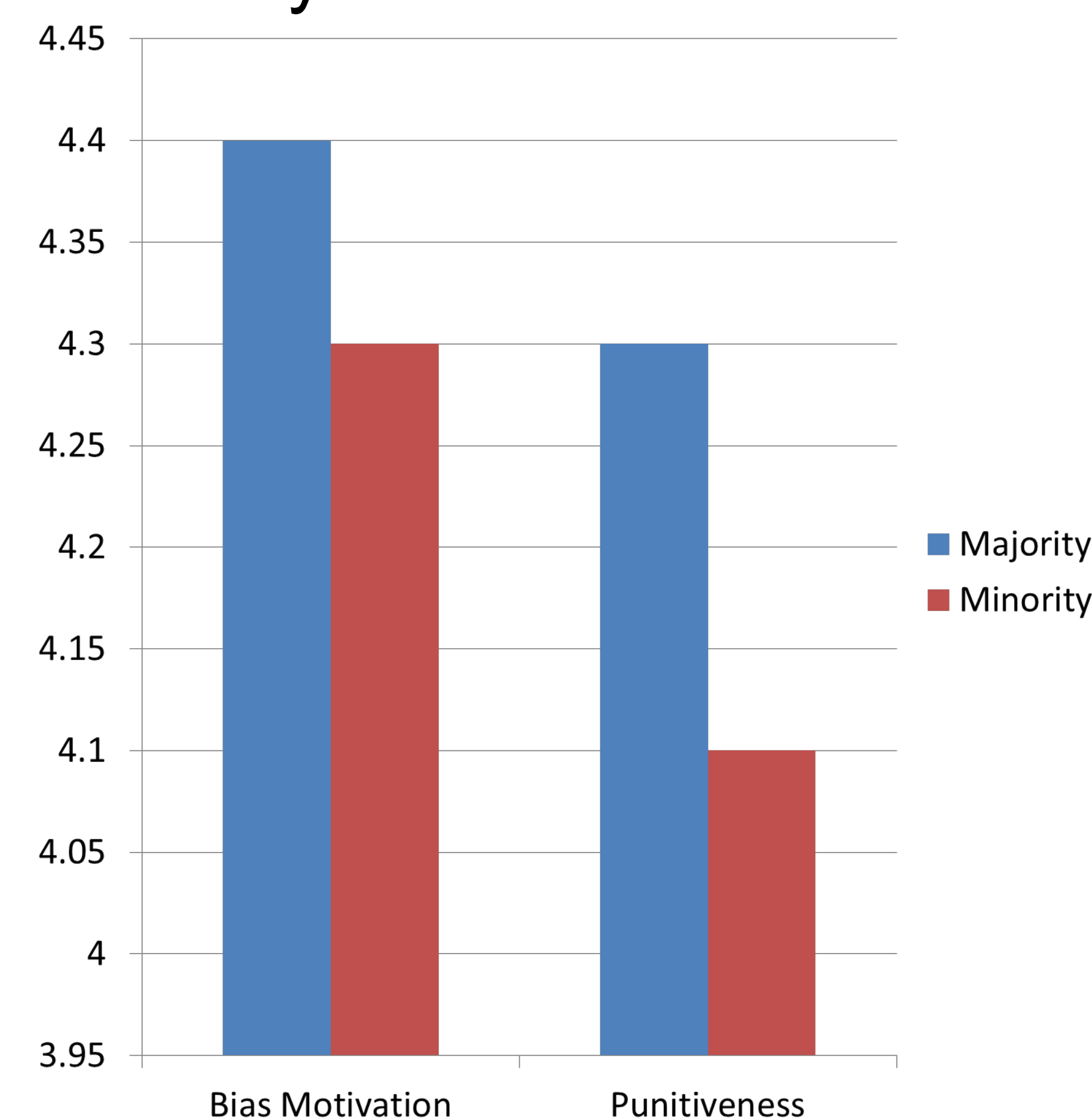
Bar Scenario



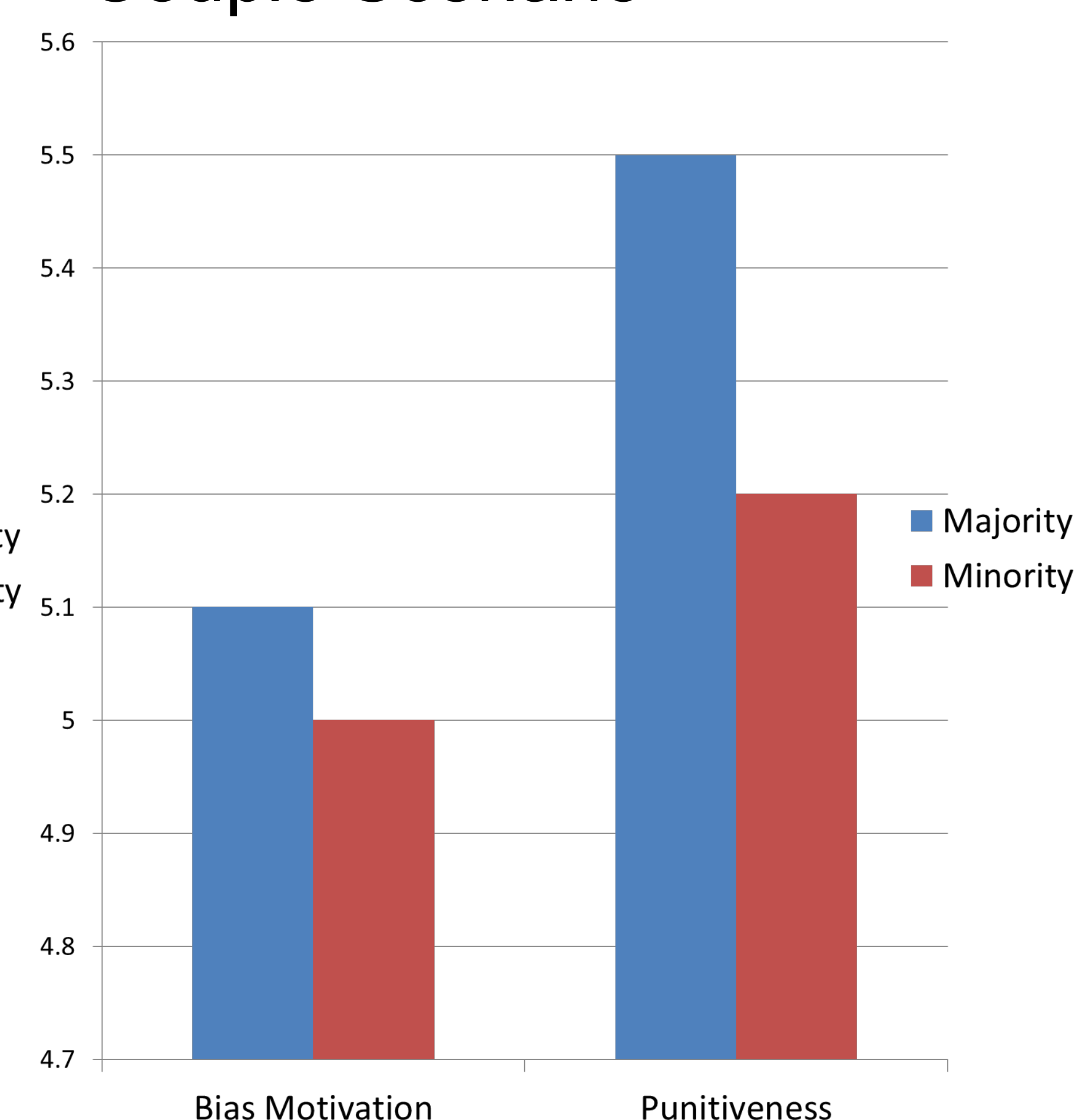
Professor Scenario



Bakery Scenario



Couple Scenario



DISCUSSION

We found consistent differences in the direction of our hypotheses, but none of these reached statistical significance (all $ps > .02$, ns with Bonferroni adjustment).

- ◆ That is, when the perpetrator was a **majority** member and the victim was a **minority** member, participants' mean responses were somewhat higher on the composite "hatred" and "punitiveness" measures.

Gender Differences:

Females consistently perceived the scenarios overall as being more bias-motivated, more serious, more offensive, and more worthy of punishment than did males. Specifically, females viewed the bakery scenario as being significantly more bias-motivated than did males, $t(85) = -3.07, p = .003$. They also viewed the couple and professor scenarios as significantly more serious, offensive, and worthy of punishment than did males, $ts(85) = 4.83$ and $4.55, ps < .01$.

Limitations/ Suggestions for Future Research:

- ◆ larger, more diverse sample (particularly in terms of race and sexual orientation)
- ◆ fully-crossed design (i.e., including minority perpetrator – minority victim and majority perpetrator – majority victim scenarios)

REFERENCES

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